

REMARKS

Applicants amended the Specification on page 18, to include "humidity" as one of the conditions detected by the condition sensor. Support for "a humidity sensor" can be found at page 18, line 11 of the original specification.

Applicants have also amended claims 15 and 30 to define the present invention with more specificities. Dependent claims 16, 17, 19, 22-29 have been amended to establish consistency in terms. Claim 36 has been amended to include the humidity sensor. Support can be found at page 18, line 11 of the original specification. New claims 37 and 38 are added. Support can be found in the originally filed claims 25 and 27.

No new matter has been added by these amendments. Entry is believed to be proper and respectfully requested.

Upon entry of the amendments, Claims 15-17, 19, 22-30, 33-38 are pending. No additional claims fee is believed due.

Response to the Restriction Requirement

In the previous Office Action, the Examiner requires election under 35 U.S.C. §121 to one of the following groups:

- Group I: Claims 1-30, drawn to a system, class 068, subclass 005C; and
- Group II: Claims 31-32, drawn to a method for treating fabrics, class 008, subclass 142.

Applicants traversed.

In the Final Office Action, the Examiner has made the restriction final and reminded Applicants that a complete reply to the final rejection must include cancellation of the non-elected claims.

Applicants respectfully point out that, in an effort to expedite the prosecution, Applicants have already canceled, without prejudice, the non-elected claims 31-32 in the amendment filed on March 28, 2003.

Withdrawal of this objection is respectfully requested.

Oath/Declaration

The Examiner states that the declaration is defective.

A new declaration properly identifying the mailing addresses of the inventors is submitted herewith.

Withdrawal of this objection is respectfully requested.

Specification

The Examiner states new matter was introduced in the amendment filed on March 28, 2003. Specifically, the terms “a fluid flow sensor” and “a torque sensor” was considered unsupported by the original disclosure.

Applicants respectfully point out that the originally filed claim 23 contains the following language “said condition detector measures a condition selected from the group consisting essentially of time, fabric load mass, temperature, lipophilic fluid flow from said drying apparatus, drying apparatus drum torque, . . .” (emphasis added) and the paragraph starting at Page 18, line 7 of the originally filed specification states “[t]he condition sensor 20 could be a humidity sensor, a mass load sensor, a temperature sensor, a timer, etcetera.” Additionally, the definition starting at Page 4, line 19 of the originally filed specification states “any detector and/or sensor capable of quantitatively and/or qualitatively measuring some scientific quality . . . including, and are not limited to, time, temperature, fluid flow, and torque.” (emphasis added) Clearly, the original disclosures include descriptions of the condition sensor by the conditions it is capable of detecting and of the corresponding sensors.

Therefore, Applicants submit that the terms “a fluid flow sensor” and “a torque sensor” merely rephrase what were originally disclosed about the condition sensor, thus, these terms do not constitute new matter. See MPEP 2163.07. Moreover, these terms serve to secure substantial correspondence between the disclosure provided in the specification and the claims, thus, they are indeed proper.

Reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections under 35 USC 112

The Examiner rejects claims 23 and 36 under 35 USC 112, first paragraph as failing to comply with the written description requirement. The Examiner states that the types of sensors claimed “a fluid flow sensor” and “a torque sensor” were not described in the specification at the time the application was filed and, therefore, are considered new matter.

Applicants respectfully traverse. As stated above, these terms are fully supported by the original disclosure, and these terms merely rephrase what were originally disclosed about the condition sensor, thus, these terms do not constitute new matter.

Applicants respectfully request withdrawal of this rejection.

The Examiner also rejects claims 15-17, 19 and 22-29 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that the word “means” as used by the

Applicants in the present claims is improper since no function is specified by the word preceding “means”. The Examiner also states that applying structure to a mean-plus-function language does not invoke 35 USC 112, sixth paragraph, because the word “sensor” imparts structure.

Applicants disagree that the word “sensor” imparts structure. On the contrary, a “sensor” can have a variety of structural/functional arrangements as evident by the variety of suitable sensors disclosed by applicants (see claim 25). Moreover, applicants submit that the word “sensor” is descriptive of the mean-plus-function language succeeding it and serves to distinguish the multiple means used in the presently claimed system, such as the “condition means”.

However, in an effort to expedite the prosecution, Applicants have amended independent claim 15 by removing the modifying language “sensor” and “condition” from the claim limitation, and distinguish said means as “first” and “second” means instead.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claim Rejections under 35 USC 102

The Examiner rejects claims 15-17, 19 and 22-29 under 35 USC 102(b) as being anticipated by Naya et al. (JP 01-277,600). The Examiner states that Naya et al. discloses a dry cleaning drying control system that controls the drying cycle by determining the terminal point in drying operation; the system uses a semiconductor gas sensor for dry cleaning solvent vapor which is controlled by a temperature condition detector.

Applicants respectfully traverse.

Applicants respectfully point out that Naya et al. merely discloses an improved gas sensor, including details such as what elements it contains and how it works. Specifically, the semiconductor detecting element, the heating device and the temperature compensating circuit are all elements of the gas sensor and control the internal operation of the gas sensor. An English translation of JP 01-277,600 is attached herewith for the Examiner to review.

In contrast, the presently claimed invention is directed to a system that controls the drying cycle interactively. The system comprises a first (gas sensing) means, one or more second (condition sensing) means, and a signal processor, wherein these elements of the system function cooperatively to control operation of the drying apparatus. Specifically, the signal processor (such as that marked with reference numerals 100, 150 or 190 in Fig. 3-5) is capable of comparing the signals from the gas sensing means and/or the condition sensing means to certain threshold values, thereby controlling the operating conditions of the drying apparatus, such as (1) determining the end of drying; (2) prevent gas sensor fouling; and (3) prevent reaching a flash point condition when combustible or flammable fluid is present. (See page 18, line 25 - page 20, line 30)

Applicants submit that Naya et al. does not disclose the presently claimed system capable of controlling the drying condition of the apparatus interactively.

Accordingly, Applicants respectfully request withdrawal of these rejections.

Claim Rejections under 35 USC 103

The Examiner rejects claims 30 and 33-36 under 35 USC 103 as being unpatentable over Naya et al. as applied above, and in view of Applicants' admitted prior art of a commercially available "dual mode" apparatus.

Applicants respectfully traverse.

Applicants submit that, based on the reason presented in the above section, Naya et al. in combination with a dual mode apparatus does not render the presently claimed combination of a control system in a dual mode apparatus obvious.

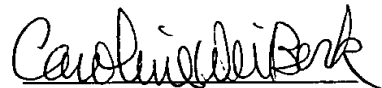
Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

Applicants believe that the above represents an earnest effort to place the present application in condition for allowance. Withdrawal of the rejection and issuance of a Notice of Allowance are respectfully requested.

In the event that issues remain prior to allowance of the pending claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,
For France et al.



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September 15, 2003
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Attachment: English translation of JP 01-277,600